

REMARKS

In an Office Action mailed on March 30, 2004, claims 11, 18, 19, 21, 24 and 26 were rejected under 35 U.S.C. § 112 as being indefinite; and claims 1-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Voegeli in view Isaac. These rejections are discussed below.

§ 112 Rejections:

Although Applicant disagrees with the basis for the § 112 rejections, claims 11, 18, 19, 21, 24 and 26 have been amended to replace the language "near" with the language "substantially at." Applicant points out that claim breadth is not be equated with indefiniteness. M.P.E.P. § 2173.04. Furthermore, the fact that certain claim language may not be precise does not automatically render the claim indefinite under the second paragraph of 35 U.S.C. § 112. M.P.E.P. § 2173.05(b). Section 2173.05(b) of the M.P.E.P. recites several cases in which the word "substantially" was found to be definite and thus, satisfy the second paragraph of section 112. M.P.E.P. § 2173.05(b).D. Therefore, Applicant submits that the amended language overcomes the § 112 rejections.

§ 103 Rejections of Claims 1-10:

The electronic device of claim 1 includes an external supply voltage terminal and a circuit to provide an indication of a first supply voltage level to be furnished to the external supply voltage terminal in response to receiving power from the terminal.

The Examiner fails to establish a *prima facie* case of obviousness for independent claim 1 for at least the reason that the combination of references fails to teach or suggest all claim limitations. More specifically, Voegeli discloses a power supply system in which configuration registers receive power from a backplane 3 and furnish voltage identification numbers (called "VIDs" herein). These VIDs, in turn, indicate the particular voltage levels for microprocessors. Voegeli, 5:44-48. Thus, referring to Figures 6, 7 and 8 of Voegeli, the power system controller 4 on power up furnishes VID numbers to the power supply 6 that, in turn, furnish the appropriate supply voltage levels to the microprocessors.

However, as acknowledged by the Examiner, there is no teaching or suggestion in Voegeli of a circuit to provide an indication of a first supply voltage level to be furnished to an external

supply voltage terminal in response to receiving power from that terminal. Instead, Voegeli discloses a circuit to provide the VIDs, and these VIDs set the supply voltages on terminals that are not used for purposes of powering the circuits that furnish the VIDs.

The Examiner relies on Isaac to allegedly supply the missing claim limitations. In this regard, the Examiner relies on Figure 5 of Isaac, a figure that discloses a programmable logic device (PLD) 710 and a processor 10, both of which receive power from a power supply 30. Isaac states, "the output of the PLD is used to adjust or select the number and level of voltage supply signals to be supplied into the processor." Isaac, 7:35-37.

The Examiner contends that in view of Fig.5, Isaac allegedly teaches, "a system in which the circuit is powered by the voltage supply terminal to which it indicates a voltage level." Office Action, 3. However, Isaac fails to teach or suggest the limitations not taught or suggested by Voegeli, namely, a circuit that, in response to receiving power from an external terminal, furnishes an indication of a voltage level of that terminal. Instead of such a disclosure, the power supply 30 of Isaac supplies power to the voltage control unit 24 over what appears to be one or more voltage terminals. However, it is not these terminals to which the voltage control unit 24 indicates a voltage level. Instead, it is clear from a reading of Isaac that the voltage control unit 24 controls the voltage level that appears in voltage signals that are provided by the power supply 30 *to the microprocessor*, not to voltage supply terminals that are connected to the voltage control unit 24.

Thus, for at least the reason that the combination of Voegeli and Isaac fails to teach or suggest all claim limitations, a *prima facie* case of obviousness has not been established for independent claim 1.

A *prima facie* case of obviousness has not been established for independent claim 1 for at least the additional, independent reason that the Examiner fails to show where the prior art contains the alleged suggestion or motivation to modify Voegeli to derive the claimed invention. More specifically, the Examiner's rejection is based on the modification of Voegeli's system so that the VIDs of Voegeli indicate the supply voltage that is supplied by the backplane 3, instead of selecting the voltage levels for the various microprocessors. The Examiner, however, fails to show where the prior art contains the alleged suggestion or motivation for such a modification of Voegeli's system. Furthermore, Voegeli teaches that a specific supply voltage is required by each microprocessor and how its system furnishes these specific processor voltages. Modifying

Voegeli's system so that the backplane voltage is controlled by the VIDs, would improperly change the principal of operation of Voegeli's system. This is further evidence that the § 103 rejections are based on the pure hindsight gleaned from the current application and the prior art fails to contain the alleged suggestion or motivation for the proposed modification of Voegeli, withdrawal of the § 103 rejection of independent claim 1 is requested. Claims 2-10 are patentable for at least the reason that these claims depend from an allowable claim.

§ 103 Rejections of Claims 11-17:

The method of independent claim 11 includes providing an indication of a first supply voltage level to be furnished to a supply voltage terminal in response to receiving power from the terminal. The method includes in response to the indication, establishing a voltage of the terminal substantially at the first supply voltage level.

Contrary to the limitations of independent claim 11, none of the cited references, alone or in combination, teach or suggest in response to an indication of a first supply voltage level to be furnished to a supply voltage terminal, establishing a voltage of this supply voltage terminal approximately at the first supply voltage level. More specifically, Voegeli discloses furnishing VIDs that indicate various microprocessor supply voltages. However, the circuitry to furnish these VIDs does not receive power from any of the corresponding microprocessor supply terminals.

Isaac fails to teach or suggest the missing claim limitations, as Isaac, contrary to the Examiner's contentions, fails to disclose power the PLD 710 using the same voltage terminal whose voltage level is set by the PLD 710. Thus, for at least the reason that the combination of references fails to teach or suggest all claim limitations, a *prima facie* case of obviousness has not been established for independent claim 11.

A *prima facie* case of obviousness has not been established for independent claim 11 for at least the additional, independent reason that the Examiner fails to show where the prior art contains the alleged suggestion or motivation to modify Voegeli to derive the claimed invention. More specifically, in order to derive the claimed invention, one would have to modify Voegeli's system so that the voltage provided by the backplane 3 is set by the one of the VIDs. Such a suggestion or motivation, however, is not present in the art cited by the Examiner. Thus, for at

least this additional, independent reason, a *prima facie* case of obviousness has not been established for independent claim 11.

Claims 12-17 are patentable for at least the reason that these claims depend from an allowable claim.

§ 103 Rejections of Claims 18-23:

The system of claim 18 includes an electronic device that includes an external supply voltage terminal. The electronic device provides an indication of a first supply voltage level to be furnished to the external supply voltage terminal in response to receiving power from the terminal.

As discussed above, the combination of Voegeli and Isaac fails to teach or suggest the electronic device of independent claim 18. Furthermore, the Examiner fails to show where the prior art contains the alleged suggestion or motivation to modify Voegeli's system to derive the electronic device of independent claim 18. Therefore, at least any one of these reasons, a *prima facie* case of obviousness has not been established for claim 18.

Claims 19-23 are patentable for at least the reason that these claims depend from an allowable claim.

§ 103 Rejections of Claims 24-27:

The voltage regulator of independent claim 24 includes a circuit to set a reference voltage to a first level to cause voltage regulation circuitry to regulate an output voltage substantially at a predetermined output voltage level and in response to an indication of a supply voltage level that is furnished by an electronic device, set the reference voltage substantially at a second supply voltage level to cause the voltage regulation circuitry to regulate the output voltage substantially at the supply voltage level that is indicated by the electronic device.

The Examiner fails to show where either reference allegedly teaches or suggest the circuit of independent claim 24. Instead, the Examiner assumes that the voltage regulator 30 of Isaac furnishes a default output voltage level to the processor 10 in the absence of a voltage level indication from the PLD 710. However, the Examiner improperly fails to show any support for this position. Additionally, the Examiner fails to show where the prior art contains the alleged suggestion or motivation to modify Voegeli to derive the claimed invention. Therefore, for at

least any one of these reasons, a *prima facie* case of obviousness has not been set forth for independent claim 24.

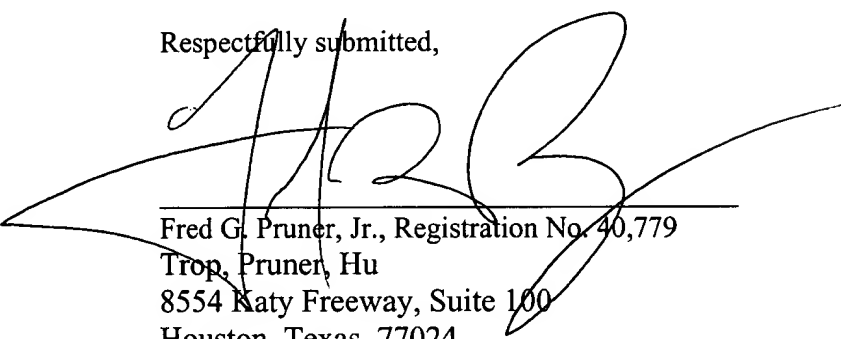
Claims 25-27 are patentable for at least the reason that these claims depend from an allowable claim.

CONCLUSION

In view of the foregoing, withdrawal of the §§ 112 and 103 rejections and a favorable action in form of a Notice of Allowance are requested. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504 (ITL.0548US).

Respectfully submitted,

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